

## U.S. Department of Justice



United States Attorney  
Southern District of New York

United States District Courthouse  
50 Main Street, Suite 1100  
White Plains, New York 10601

October 2, 2023

**BY EMAIL AND ECF**

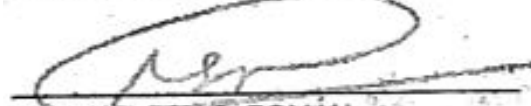
The Honorable Nelson S. Román  
United States District Judge  
Southern District of New York  
300 Quarropas Street  
White Plains, New York 10601

**The Government's request is DENIED without prejudice. Clerk of Court is requested to terminate the motion at ECF No. 46.**  
**Dated: White Plains, NY**  
**October 2, 2023**

**Re: *United States v. Joseph Neumann*, 21 Cr. 439 (NSR)**

Dear Judge Román:

SO ORDERED:

  
HON. NELSON S. ROMÁN  
UNITED STATES DISTRICT JUDGE

The Government writes to respectfully request, for the first time, an adjournment of the multi-week trial in the above-referenced matter, currently scheduled to begin on January 8, 2024. Within the last few weeks, Judge Gardephe scheduled a simultaneous four-week trial to begin on January 16, 2024, that requires the participation of the entirety of the prosecution team in this matter, including both Assistant United States Attorneys and the IRS Special Agent. Because the prosecution team cannot conduct both trials simultaneously, the Government respectfully seeks the requested adjournment or, alternatively, respectfully requests that the Court confer with Judge Gardephe's chambers, which has also been notified regarding the above-described conflict. The Government has conferred with counsel for Mr. Neumann, who consents to the adjournment of trial in this matter and an exclusion of time until the new trial date. If the Court adjourns the trial, the parties also request that the current pretrial deadlines be adjourned *sine die* and that the status conference presently scheduled for October 12, 2023, be adjourned to a date convenient to the Court approximately 90-days before the new trial date; the Government will make a request for exclusion of time under separate cover.

Respectfully submitted,

DAMIAN WILLIAMS  
United States Attorney

By:                     /s/                      
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Cc: Lee Vartan, Esq. (via email & ECF); Emil Bove, Esq. (via email & ECF)

MEMO ENDORSED